

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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GLIDEDOWAN, LLC D/B/A ALL-AMERICAN  
HOMECARE AGENCY, INC.,

Plaintiff,

-against-

NEW YORK STATE DEPARTMENT OF HEALTH and  
JAMES V. MCDONALD, IN HIS OFFICIAL CAPACITY AS  
COMMISSIONER OF THE NEW YORK STATE  
DEPARTMENT OF HEALTH,

Defendants.

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**PLAINTIFF'S NOTICE OF  
MOTION FOR  
EXPEDITED HEARING**

Case No. 24-6731

**PLEASE TAKE NOTICE** that, pursuant to Local Civil Rule 7(d)(1), and based on the Declaration of Edward P. Hourihan, Jr. dated December 17, 2024, and the underlying motion papers and pleadings provided herewith, Plaintiff Glidedowan, LLC d/b/a All-American Homecare Agency, Inc. moves for an order granting an expedited hearing on the accompanying motion for preliminary injunction at the United States District Court for the Western District of New York, 100 State Street, Rochester, New York 14614, at a time to be set by the Court.

Plaintiff is a Fiscal Intermediary ("FI") that services chronically ill and physically disabled Medicaid beneficiaries, known as "Consumers," pursuant to New York's Consumer Directed Personal Assistance Program. As an FI, Plaintiff manages Consumers' relationships with their home health care aides, known as "Personal Assistants," pursuant to contracts with counties and insurance companies.

Plaintiff requests an expedited hearing because on April 1, 2025, Defendants will implement amendments to New York Social Services Law § 365-f that nullify all of Plaintiff's contracts to provide FI services in New York and grant a monopoly on FI services in New York to a single out-of-state entity, inflicting the irreparable harm of destroying Plaintiff's business. Defendants'

threatened action violates Plaintiff's constitutional rights under the Equal Protection, Contracts, Due Process, Takings, Commerce, and Bill of Attainder Clauses.

Plaintiff respectfully requests that the Court enter a briefing and hearing schedule that permits it to rule on Plaintiff's motion for preliminary injunction prior to April 1, 2025.

Dated: December 17, 2024

**BOND, SCHOENECK & KING, PLLC**

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